# FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLA ORIGINAL/SUBSTITUTE/SUPPL DECLARATIONS

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# RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF RNEY FOR PATENT APPLICA IN THE UNITED STATES PATENT AND Thousand MARK OFFICE

PM&S FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a natent is sought on the INVENTION ENTITY ED FOAMED. THERMORIASTIC RESIN MOLDING

	is claimed and for which	-				HEMMOFF		<u> </u>	LIOLD	1110
	FOR AUTOMO				TTION METH	OD THER	EOF			
	the specification	n of which ( <u>CF</u>	IECK applicable BO	X(ES))						
	$X \rightarrow [X]$ is a	ttached hereto.								
	BOX(ES) -> [ ] was	filed on			as U.S. Application	No. 0 /				
	-> [ ] was	filed as PCT I	nternational Applicat							<del></del>
	-> -> and (if U.S. or						•			
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	I hereby state that I have									
	to above. I acknowledge	the duty to disc	lose all information k	nown to me to	be material to patenta	ability as defined	in 37 C.F.	.R. J.56. I he	reby claim fo	oreign priority
	benefits under 35 U.S.C.	119/365 of any	foreign application(s	) for patent or i	nventor's certificate l	listed below and	have also	identified bel	ow any forei	gn application
	for patent or inventor's c	ertificate filed b	y me or my assignee	disclosing the	subject matter claime	ed in this applica	tion and h	aving a filing	date (1) bef	ore that of the
	application on which pri									
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	PRIOR FOREIGN APPI	ICATION(S)			Date first Laid-	Date Paten	tod	Priority	Claimed	
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	Number	Country	Day/MONTH/Ye	ear Filed	open or Published	or Granted		<u>Yes</u>	<u>No</u>	
	2000-141318	Japan	15 May,	2000				x		
		<u>-</u>			•			21		
	I hereby claim domestic	priority benefit	under 35 U.S.C. 119	9/120/365 of th	e indicated United St	tates application	s listed be	low and PCT	internationa	al applications
	listed above or below an									
	listed above of below all	u, ii uns is a co	minuation-m-part (C	application	11 :- 6		scu and c	40 40-46 Lili	application	15 III 400100II
	to that disclosed in such	prior application	ns, I acknowledge th	e duty to discio	ose all information kr	nown to me to b	e materiai	to patentabili	ty as defined	in 37 C.P.K.
	1.56 which became avai	lable between t	ne filing date of each	n such prior ap	plication and the nat	tional or PCT in	ternationa	l filing date o	of this applic	cation:
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Ė	PRIOR U.S. PROVISIO	NAL, NONPRO	OVISIONAL AND/C	OR PCT APPL	ICATION(S)	Status			Priority Cla	aimed
, [	Application No. (series			MONTH/Year		ending, abandor	ned, paten	ted	Yes	No
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Ę	urther that these stateme	nts were made v	vith the knowledge th	at willful false	statements and the lil	ke so made are p	unishable	by fine or im	orisonment,	or both, under
<u></u>	≅Section 1001 of Title 18	of the United St	ates Code and that su	ich willful false	statements may jeor	pardize the valid	ity of the a	pplication or	any patent is	ssued thereon.
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	and collectively my attor									
	patent, and I hereby auth	orize them to de	lete names/numbers	below of perso	ons no longer with the	eir firm and to a	ct and rely	on instructio	ns from and	communicate
3 8	patent, and I hereby auth directly with the person/a after full disclosure to be	ssignee/attorney	//firm/ organization v	vho/which first	sends/sent this case t	o them and by w	/hom/whic	h I hereby de	clare that I ha	ave consented
==	after full disclosure to be	e represented ur	iless/until I instruct t	he above Firm	and/or a below atto	rney in writing	to the con	trary.	•	•
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-	G. Lloyd Knight	17698	Donald J. Bird		323 Lynn E. Eccl		35861	Roger R. W		31204
	Carl G. Love	18781	Peter W. Gowdey	•	872 David A. Jak		32995	Jay M. Fink		21082
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	Kevin E. Joyce	20508	Kendrew H. Colto		368 Stephen C. G		31361			•
	Edward M. Prince	22429	Paul E. White, Jr.	32	011 Paul F. McQ		31542			
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	Inventor's Name (typed)	<u>, sacc</u>				<u> FUNAKO</u>	-	·	<u>Japan</u>	<del></del> .
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### PATEN DUTY OF DISCLOSURE 11e 56(a) & (b) = 37 C.F.R.1.56(a) & (b) PATEN DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability.

#### PATENT LAWS 35 U.S.C.

### §102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or

- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

#### §103. Condition for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

<sup>\*</sup> Six months for Design Applications (35 U.S.C. 172).